IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

TUESDAY, THE 4TH SEPTEMBER 2007 / 13TH BHADRA 1929

AS.No. 505 of 1992()

AGAINST THE ORDER DATED 31/01/1992 IN I.A.481/89 IN
OS.100/1986 of SUB COURT, KASARAGOD

.....

APPELLANT/4TH RESPONDENT/4TH DEFENDANT::

SMT.GOWRI, D/O.VENKATESHWARA BHAT,
RESIDING AT BALADKA, NEKRAJE VILLAGE,
P.O.NEKRAJE, KASARAGOD TALUK

BY ADV. SRI.C.P.DAMODARAN NAYAR
SRI.D.KRISHNA PRASAD
SRI.P.SHRIHARI

RESPONDENTS/PETITIONER & RESPONDENTS 2, 3 AND 5 TO 12/
PLAINTIFF AND DEFENDANTS 2, 3 AND 5 TO 12:
---

*1. SHANKARA BHATTA, S/O.PATTAJE SHAM BHATTA,
RESIDING AT KAVU TEMPLE, PARAKKAT,
P.O.KAVUSSERI, VIA. ALATHUR, PALAKKAD DISTRICT (DIED)

2. ISHWARA BHAT, S/O.PATTAJA SHAM BHATTA,
RESIDING AT PAIKA, P.O.GUTHIGAR,
VIA.SULLIA, KARNATAKA STATE.

3. MAHALINGA BHAT, S/O.PATTAJE SHAM BHATTA,
RESIDING AT PATHUNDY TEMPLE, P.O.POTHUNDY,
VIA. NENMARA, PALAKKAD DISTRICT.

4. GANGAMMA, W/O.VENKATESHWARA BHAT,
RESIDING AT POTTIPALA, NEKRAJE VILLAGE,
KASARAGOD TALUK, P.O.NEKRAJE

5. BALAKRISHNA BHAT, S/O.VENKATESHWARA BHAT,
RESIDING AT PATTIPALA, NEKRAJE VILLAGE,
NEKRAJE P.O., KASARAGOD TALUK

6. SHAM BHAT, S/O.VENKATESHWARA BHAT,
RESIDING AT POTTIPALA, NEKRAJE VILLAGE,
P.O.NEKRAJE, KASARAGOD TALUK

7. SHANKARA BHAT, S/O.VENKATESHWARA BHAT,
RESIDING AT POTTIPALA, NEKRAJE VILLAGE,
P.O.NEKRAJE, KASARAGOD TALUK

8. SHAKUNTHALA, D/O.VENKATESHWARA BHAT,
RESIDING AT ULIYATHADKA, MADHUR VILLAGE,
P.O.MADHUR, KASARAGOD TALUK

9. KAMALA DEVI, D/O.VENKATESHWARA BHAT,
RESIDING AT POTTIPALA, NEKRAJE VILLAGE,
P.O.NEKRAJE, KASARAGOD TALUK

10. DINESH BHAT, S/O.VENKATESHWARA BHAT,
RESIDING AT POTTIPALA, NEKRAJE VILLAGE,
P.O.NEKRAJE, KASARAGOD TALUK

11. SATHYAPRASADA, S/O.VENKATESHWARA BHAT,
RESIDING AT POTTIPALA, NEKRAJE VILLAGE,
P.O.NEKRAJE, KASARAGOD TALUK

*ADDL.R12 TO 17 IMPLEADED:

ADDL.R12. SHARADA

ADDL.R13. SHAMA SUNDARA

ADDL.R14. RAJALAKSHMI

ADDL.R15 CHANDRA

ADDL.R16. KUMALA

ADDL.R17. RAJA

THE 12TH RESPONDENT IS THE WIDOW AND RESPONDENTS 13 TO 17 ARE THE CHILDREN OF DECEASED SANKARA BHATTA AND ARE RESIDING AT KAVU TEMPLE, PALAKKAT, P.O.KAVASSERI, VIA. ALATHUR, PALAKKAD DISTRICT AND DTHE 14TH RESPONDENT IS RESIDING AT POKKANNI TEMPLE, P.O.POKKUNNI, PALAKKAD.

THE ABOVE ADDL. RESPONDENTS 12 TO 17 ARE IMPLEADED AS THE LEGAL REPRESENTATIVES OF THE DECEASED 1ST RESPONDENT VIDE ORDER DT. 22-8-2003 IN CMP 116/94.

BY ADV. SRI.P.N.KRISHNANKUTTY ACHAN(SR.)
SRI.PRAKASH THOMAS
SRI.K.MOHANA KANNAN
SRI.M.C.SEN

THIS APPEAL SUITS HAVING BEEN FINALLY HEARD ON 04/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P.NO.6919/1992 IN A.S.NO.505/1992

DISMISSED

4-9-2007

SD/- KURIAN JOSEPH, JUDGE

SD/- HARUN-UL-RASHEED, JUDGE

/ TRUE COPY /

P.S.TO JUDGE

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

A.S.No.505 of 1992

Dated this the 4th day of September, 2007

JUDGMENT

Kurian Joseph,J.

Learned counsel for the appellant reports no instruction and hence the appeal is dismissed.

(KURIAN JOSEPH, JUDGE)

(HARUN-UL-RASHID, JUDGE)

ahg.

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

A.S.No.505 of 1992

JUDGMENT

4th September, 2007